



ALBERT VODERMAYER, et al.
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REMARKS

Upon entry of the foregoing amendments, claims 11-22 are pending.

The Examiner issued a restriction requirement. Applicants had elected Group I, specifically claims 1-5, drawn to an article of manufacture, classified in class 428, subclass 114. Applicants hereby reaffirm the election of Group I, specifically, claims 1-5.

The Examiner has indicated the priority has not been perfected and that the applicant is required to submit a ribbon copy of the priority document. Applicants respectfully submit that the proper priority documents were submitted upon the filing of the present application. A copy of the Certificate that was originally filed, along with the Postcard indicating receipt by the USPTO, are submitted herewith.

The drawings stand objected to as failing to comply with 37 CFR §1.84(p)(4) because reference characters "2" and "3" in Figure 1 have both been used to designate the impregnation bath. Additionally, the Examiner indicates that reference characters "2" and "3" have been used to designate both impregnation bath and fiber cords in Figures 1 and 2, respectfully. It is respectfully submitted that the impregnation bath has no reference character, only the dispersion 4 of this bath. The reference characters "2" and "3" have been used to designate only fiber cords. In Figure 1, the arrow at "3" points to a cord with three fibers, shown as a cross-section. The arrow at "2" points to a cord that is running in a longitudinal direction parallel to the plane of the drawing. In Figure 2, cross-sections of the cords are shown. Cords 3 and 3' that are perpendicular to the cords 2 are shown with their lateral sides, similar to the cord 2 and Figure 1. Accordingly, it is respectfully submitted that the drawings do comply with 37 CFR §1.84(p)(4), and it is respectfully requested that the objection to the drawings be withdrawn.

The drawings are also objected to because the Examiner indicates that no preferred embodiment description for Figure 3 is in the specification. It is respectfully submitted that Figure 3 is referenced and described at least in the full paragraph on page

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5. The description with regard to Figure 3 at this point is in conjunction with the description of Figure 2. Accordingly, it is respectfully requested that the rejection to the drawings on this basis also be withdrawn.

The Examiner indicates that the claims in this application do not commence on a separate sheet in accordance with 37 CFR §1.52(b). Applicants respectfully submit that all copies of the application in their files do have the claims starting on a separate sheet paper. Additionally, new claims 11-22 begin on a separate sheet. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 1-5 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out the distinctly claim the subject matter that applicant regards as the invention. The Examiner listed several concerns. Accordingly, applicants have canceled Claims 1-5 and rewritten them as new claims 11-22. It is respectfully submitted that claims 11-22 fully comply with 35 U.S.C. §112 and therefor, it is respectfully requested that the rejection be withdrawn.

Claims 1,2, 4 and 5 stand rejected under 35 U.S.C. §102(b) as being anticipated by Murphy et al. (U.S. Patent No. 4,407,885).

Claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. §102(b) as being anticipated by Lee at al. (U.S. Patent No. 5,401,564).

Claim 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy et al. or Lee et al.

These rejections are respectfully traversed and reconsideration is respectfully requested.

In the present invention, the cords 2, 3 and 3' (see Figure 3) or 2, 3a, 3b (see Figure 4) form a single layer. In contrast thereto, Murphy et al. discloses a stack assembly with a plurality of layers. These layers are not composed of fiber cords in which the fibers are impregnated as recited in new claim 11. Accordingly, claim 11 is allowable.

Lee at al. discloses, at column 5, lines 10-19, a woven fabric combining glass rovings with graphite toes. This fabric retains the distinctive properties of the glass

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and the graphite. The final composite is relatively stiff in a longitudinal direction parallel to the carbon fibers and retains the flexibility in the lateral direction. In the present invention, the distinctive properties of the cords are a result of different plastic contents. These plastic contents are a natural consequence of the impregnation of the cords as recited in claim 11. Accordingly, claim 11 is allowable.


Claims 12-22 depend either directly or indirectly on claim 11 and therefor, they are allowable for at least the reasons claim 11 is allowable. These claims further define an augment and features of the applicants invention.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at .

Respectfully submitted,



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